PROCEEDINGS

OF THE

NEW JERSEY HISTORICAL SOCIETY.

Vol III. 1848. No. 2.

NEWARK, May 25, 1848.

THE SOCIETY met at 12 o'clock at the Library Hall. The Hon. JAMES PARKER, third Vice President, took the chair in the absence of the President, who was unavoidably prevented from being present by professional engagements.

After the minutes of the last meeting were read and approved, the Corresponding Secretary made his report, and laid upon the table letters from the Rev. SAMUEL W. FISHER, of Cincinnati; Rev. J. T. HEADLEY, of New York; Rev. J. B. CONDIT, D. D.; H. F. CONDICT, M. D., of Washington City; Messrs. ROBERT G. RANKIN and WM. F. OAKEY, of New York,—in acknowledgment of their election as honorary, corresponding or resident members: —from Rev. Drs. DEWITT and HIGBEE, Rev. SAM'L. L. SOUTHARD, and Hon. J. P. PHŒNIX, of New York, regretting their inability to accept the invitation of the Society to participate in the proceedings of the day:—from Mr. O. W. MORRIS, of New York, accompanying a donation to the Library, from the Historical Societies of Pennsylvania, Virginia and New York, the American Antiquarian Society, and from sundry persons in relation to the business and transactions of the Society.

In accordance with the directions of the Society at its last meeting, he had transmitted to Mr. A. Vattemare, in furtherance of his system of International Exchanges, 3 copies of the Society's collections, 2 vols. each: 5 copies of the Life of Lord Stirling: 5 copies of the Proceedings of the Society, each 2 vols.: and 5 copies of Bishop Doane's Address—The Constitution and By-Laws of the Society, and the Statistics of the New Jersey State Prison: —in all twenty-one volumes and fifteen pamphlets.

In accordance with the resolution adopted at the last meeting, circulars had been sent to the Executives of the different States, under the direction of the President, soliciting their aid in procuring from their respective Legislatures, their laws and published documents for the library of the Society.

As acting Librarian, he reported that 48 volumes had been added to the Library since January by purchase: and by donation 30 volumes, 24 pamphlets and a few manuscripts.

The Treasurer, Mr. James Ross, reported a balance in the Treasury of $426 33; and the sum of $1,513 68 due from the members for admission fees and annual dues.

Judge Duer, from the Committee on Publications, reported that in accordance with the directions of the Society, they had caused the quarterly publication to be sent to the members generally, and they had the pleasure to state that but few indicated a disinclination to receive it.

Presuming that all those who did not return the publication considered themselves as subscribers therefor, the Committee feel authorized to announce to the Society that its continuance is in consequence rendered certain.

The first number of the 3d volume is now passing through the press, and the Committee hoped that the members generally would use their influence to extend its circulation beyond that of the previous volumes.

They also reported, that Bishop Doane had generously placed at the disposal of the Society for distribution among the members, another edition of the Annual Address delivered by him, which he had had printed at his own expense.

Mr. Wm. B. Kinney, from the Committee on Purchases, reported that since the last meeting several works of value had been added to the library at comparatively small expense, and that hereafter, as it was probable the Society would soon be in possession of their permanent rooms, purchases would be made systematically as opportunities might offer or the funds of the Society allow.

Mr. W. A. Whitehead, from the Committee on Statistics, stated that the application to the Legislature for the adoption of measures to insure systematic returns of the Criminal Statistics of the State, had been pressed at the last session, but no action had been taken thereon. Another act, however, had been passed which would prove of essential service in perfecting the system of State statistics—that providing for the Registration of Births, Marriages and Deaths.

None of the members of the Committee on Colonial Documents being present, the Corresponding Secretary reported, that the application of the legislature, which the Committee were authorized to present, had been referred to a Committee of the House of Assembly, but that no farther action had been taken. He laid before the Society a communication he had made to the Governor, embodying information received by Mr. James G. King from Mr. J. R. Brodhead in London, relative to the New Jersey Colonial papers. From this it appeared that of the volumes of MSS. in the State Paper office referring to America, there were 55 volumes referring exclusively to New Jersey, and that a large number of papers also connected with the affairs of the Province were scattered through 139 other volumes. Among these valuable documents were the minutes of the Council and Assembly entire, for the whole period of our provincial history: which would be of great interest, as those in possession of the State are very imperfect. Whereupon,

On motion of Mr. John Rutherfurd—

Resolved, That the Committee on the application to the Legislature respecting the Colonial Documents, be continued in charge of that duty, and that the Corresponding Secretary and Mr. Martin J. Ryerson be added to their number.

Dr. Murray, from the Com. on Nominations, reported favorably upon a number of names, and on balloting, 16 Resident, 4 Corresponding, and 4 Honorary members were elected—and new nominations received.

The Chairman laid before the Society a letter from the Newark Library Association stating that the room appropriated for the use of its library would be ready for occupancy in a few weeks, and that the Hall was prepared for the meetings and services of the Society.

On motion of Dr. Murray, it was ordered on file, and directed to be entered on the minutes.

On motion of Mr. Wm. B. Kinney,

Resolved, That a Committee of five be appointed by the Chair for the purpose of preparing the room,—placed at the disposal of the Society for the accommodation of their library by the Newark Library Association,—for the proper reception and arrangement of the books; and that the sum of two hundred dollars is hereby appropriated for the purchase of the necessary fixtures and appurtenances of the library.

Resolved, That the Treasurer pay the said sum, as required, to the Chairman of said Committee on the receipt of the proper vouchers.

The Chair appointed as the Committee Messrs. Kinney, Gifford, Bradley, S. H. Pennington, and Whitehead.

Dr. MURRAY gave notice of an intended alteration in the By-Laws, to be acted on at the next meeting, substituting some other day than the fourth Thursday in May for the meeting at Newark.

Dr. M. said, that although the time had been fixed with the view of making it most convenient to the members of the Bar of Essex County, who at times were always in attendance upon Court, yet in practice, the time, from that very circumstance, proved most inauspicious—hence the proposition to change the day.

The Corresponding Secretary requested to be relieved from the charge of the Library which had been intrusted to him during the last two years, and suggested the propriety of appointing a permanent Librarian;—whereupon Dr. SAMUEL H. PENNINGTON was nominated and duly elected to that office.

On motion of Mr. R. S. Field, it was resolved, that the next meeting of the Society shall be held at *Princeton, on Wednesday, September 27th.*

The Rev. Dr. MURRAY then read a Biographical sketch of Rev. James Caldwell, of Elizabethtown.

On motion of Mr. J. P. BRADLEY,

Resolved, That the thanks of the Society be presented to Dr. Murray for the spirited and interesting sketch of the Rev. Mr. Caldwell which he has read, and that he be requested to place a copy of it at the disposal of the Society.

Mr. W. A. WHITEHEAD presented in behalf of Mrs. Gertrude Parker, of Perth Amboy, a portrait of Colonel William Skinner, a brother of Cortland Skinner, Attorney General of the Province before the Revolution.

He was the third son of the Rev. William Skinner, of Perth Amboy. He entered the Provincial military service early in life, and served as a Captain in the French war under Colonel Peter Schuyler, participating in all the trials and dangers of the campaigns of 1755 and 1756—was made a prisoner of war at Oswego in August of the latter year and taken prisoner to France, where he remained until May, 1757, when he was allowed to go to England on parole, and in the course of a few months effected an exchange through his intimacy with the family of Sir Peter Warren, whose widow was his first cousin.

Mr. W. read extracts from letters in his possession, showing the interest taken by Capt. Skinner in procuring subsistence for the Provincial troops, who, like himself, had been made prisoners of war, and arrived in England;—and, also, the course pursued to obtain promotion in the regular army.

Success attended his efforts; he was gazetted Captain, August

4th, 1759, and rose rapidly. As Major of the Royal Volunteers, he was in the expedition to Belle Isle in 1761, and conducted himself gallantly in the assault upon the fortifications, receiving publicly the thanks of the commanding General. The following year Major Skinner accompanied the army to Portugal, and in April, 1763, attained the rank of Lieutenant Colonel.

Shortly afterwards he returned to England, and before the Revolution became a Colonel, but was spared the trial of serving against his native land, remaining in England during the contest, and died there in 1778. He married a daughter of Lady Warren, and his only daughter married Henry, the 3d Viscount Gage, and her son, Henry Hall Gage, is now the possessor of the titles and estates of the family.

Mr. W. said, that after their separation at Oswego, Captain Skinner and his old commander, Colonel Schuyler, never met; but at this late day, from different parts of the State, the portraits of the two—though sadly disfigured by the warfare with time and neglect—had been brought together, and would henceforth hang in juxtaposition on the walls of the library.

Mr. Kinney here rose and announced the death, since the last meeting of the Society, of Mr. John S. Condit, its Recording Secretary; and in doing so, remarked that this severe bereavement not only deprives us of the services of a faithful officer, ever prompt and cheerful in the discharge of official duties, but removes from amongst us an associate and counsellor whose pure and upright mind, mature judgment, sound learning, and rare acquaintance with the history of our native State, gave an inappreciable value to his example and influence. He was one of the original members of the association, and had proved himself on all occasions to be one of the most zealous and useful members. Mr. K. enlarged at some length upon the personal character and virtue of our lamented friend, as illustrated in the various relations of life, and concluded by presenting the following resolutions:

Resolved, That in the death of Dr. John S. Condit, its Recording Secretary, which has occurred since its last meeting, this Society is called to mourn the loss of a faithful and efficient officer, and one of its original and most useful members.

Resolved, That we tender our sympathies to the bereaved family, and that these resolutions be communicated to them by the Corresponding Secretary, and published with the proceedings of the Society.

Mr. W. A. Whitehead seconded the resolutions. From their friendly relations and official connection with the Society, Dr. C.

and himself frequently met, and they had never done so without making it in some way the subject of conversation, and most generally suggestions would be made by Dr. C. tending to its advantage. The last time Mr. W. saw him, which was but a few days before his death, he was looking forward with much pleasure to the present meeting, and had some measures in contemplation to add to its interest. Having been much interested in Mr. Field's Sketches of the Bench and Bar of New Jersey, and especially the notice of Chief Justice Mompesson, at the previous meeting, he drew Mr. W.'s attention to an article he had met with, thought to refer to the early life of the Judge—and intended to have exhibited at this meeting the Judge's watch, which, it appears, is yet in existence—after telling the passing away of many generations since its original possessor was numbered with the dead.

Mr. W. referred to his attainments as a student of the history of the State, and gave several instances of Dr. C.'s active cooperation in the views and aims of the Society. As members of the Association, all might in that respect profitably follow his example, while as men and citizens they emulated his many virtues.

Mr. Field remarked that Mr. Whitehead had anticipated him in reference to the article concerning Chief Justice Mompesson. In his sketch of that Judge he had regretted not being able to identify him as a descendant of the Mompesson who was Rector of Eyam, in Derbyshire about 1670; and he had been consequently pleased to receive through Mr. W. a few days after Dr. C.'s death, information that seemed to make it more probable that the Chief Justice was the son of that worthy man. Mr. Field alluded in appropriate terms to the services of Dr. Condit in many public stations, in all of which he so conducted himself as to command esteem.

Rev. Dr. Murray referred to another point in the character of Dr. Condit; he lived and died as a Christian, the most exalted title that could be given him.

Rev. Dr. Proudfit remarked that it was a pleasure in times like the present to be able to point to such an example of quiet, unobtrusive usefulnesss as that which had been presented in the life and character of Dr. C, and was confident that the Society and the community would with heartfelt sympathy join in the expressions of condolence which the resolutions were intended to convey to his bereaved family.

The resolutions were then unanimously adopted.

On motion of Dr. Murray, David A. Hayes was elected Re-

cording Secretary to supply the vacancy occasioned by the death of Dr. Condit.

The Society then adjourned for dinner.

7½ o'clock, P. M.—The Society again convened, and the chair was taken by the President—Hon. J. C. Hornblower.

R. S. Field, Esq., of Princeton, then read before the society a "Paper on the Bench and Bar of New Jersey previous to the Revolution;" passing in review the various Chief Justices and prominent Lawyers of the Provincial times—from the administration of Lord Cornbury to the close of that of Governor Franklin:—being a continuation of the subject commenced at the January meeting at Trenton.

On motion of Judge Duer, it was

Resolved, That the thanks of the Society be presented to Mr. Field for his valuable contribution to the biographical literature of the State and that he be requested to place a copy of his MSS. at the disposal of the Society.

The Society then adjourned, to meet at Princeton on Wednesday, September 27th.

☞ At a meeting of the *Executive Committee* who were present—the Rev. Nicholas Murray, D. D., of Elizabethtown, was elected Chairman,—a letter having been received from the Rev. Mr. McLean, declining a re-election to that post.

SELECTIONS FROM THE CORRESPONDENCE AND PAPERS

Laid before the Society, May 25th, 1848.

From the Rev. Samuel W. Fisher.

Cincinnati, Feb. 28th, 1848.

Dear Sir:—Your note announcingpmy election as a "corresponding member of the New Jersey Historical Society," reached me as I was leaving the city for a week, and in consequence an answer to it has been deferred to this time. On my return I received a copy of the Constitution and By-Laws of the Society. Permit me, through you, to express to the Society my thanks for the honor thus conferred, and my earnest desire to co-operate, as

far as it is in my power, with the Society in the promotion of the excellent purpose for which it was instituted. As a native of New Jersey—reared among her hills—first settled in life in one of her most beautiful villages, and with many of my warmest friends among her citizens, it is not possible for me to feel uninterested in the operations of a Society which seeks to rescue the memory of the Fathers from oblivion—fix the now fast fading traditions of our early settlements, and give to the future a correct delineation of our State original. We have among the first citizens of this place not a few natives of New Jersey, and they are not ashamed of the State that bore them. Judge Burnet, who is one of my parishioners, and is now among the oldest of the native Jerseymen here, has given some sketches of several eminent persons from our State in his notes on the North-western Territory. It is my hope that he will leave in manuscript for your Society sketches of other individuals and events familiar to him when young, and now of special interest as connected with the men and incidents of the earlier or rather middle history of New Jersey. So far as I can stimulate others to engage in this good work of retracing the epitaphs upon the father's tomb-stones, or have opportunities to assist in any way myself, I shall be happy to co-operate with you. Most truly yours,

SAMUEL W. FISHER.

W. A. Whitehead, Esq., Newark, N. J.

From Rev. Thomas DeWitt, D. D.

New York, May 23d, 1848.

Dear Sir :—I this morning received your note inviting me to dine with the New Jersey Historical Society at Newark, on Thursday of this week. I regret that indispensable engagements, which will occupy me on that day, will prevent my attendance with you, and deprive me of the gratification which I would otherwise have fondly sought. It is pleasant to observe the interest felt in the organization of your Society, and the success which has attended its early operations, indicating an onward course of usefulness and prosperity. Yours, with great respect,

THOMAS DeWITT.

Wm. A. Whitehead, Esq., Cor. Sec.

From Edward Y. Higbee, D. D.

New York, May 24th, 1848.

Dear Sir—I have the honor to acknowledge your letter of the 22d inst., inviting me, as a corresponding member of the New

Jersey Historical Society to join the Society at dinner on Thursday next, and also to participate in the previous proceedings, &c." It would give me the greatest pleasure to accept this invitation, and I should certainly do so, but for a previous peremptory engagement at 12 o'clock on the same day, which will probably detain me several hours. Whether present or absent, however, I shall always feel deeply interested in the proceedings of the Society, as in whatever else may contribute to the honor and prosperity of my native State.

I am, dear sir, very respectfully,
Your obedient servant,
ED. Y. HIGBEE.

W. A. WHITEHEAD, Esq., Cor. Sec, &c.

TO GOVERNOR HAINES.

NEW JERSEY HISTORICAL SOCIETY,
NEWARK, Jan. 25th, 1848.

SIR:—Since my communication to you of the 14th December, I have received through Mr. James G. King, a letter, addressed to him by Mr. John R. Brodhead, Secretary of Legation at the Court of St. James, containing valuable information, more in detail than has before been received, relative to the New Jersey Colonial Documents, compiled at the solicitation of Mr. King and myself;—and as this Society have appointed a Committee to present an application to the Legislature for a sufficient appropriation to procure an analytical index to all our documents in the English Archives, I would ask your attention to the following condensed statement of the matters referred to by Mr. Brodhead.

The State Paper Office in London at present contains two series of papers relating to America.—The "State Paper Office" series, consisting of 531 volumes, composed of those documents which from time to time have been transferred by the Secretaries of State to the custody of the Keepers of the Archives, and comprising the correspondence with the various governors and officers in America, from 1620 to 1783—The "Board of Trade Papers" series, consisting of 2167 volumes, commencing in 1620, and ending in 1782, when the Board was dissolved.

Of the first series there are 17 volumes, entitled "New Jersey Papers," containing documents from 1728 to 1782, with the exception of 10 years—between 1752 and 1762—the papers for which are probably to be found in other volumes of the series; such for instance as 23, called "Plantations General," referring to the years from 1760 to 1784, and from 1766 to 1787; 12 volumes,

entitled "Governors in America," covering the period from 1743 to 1763; and 5 volumes entitled "America," from 1620 to 1762;—in all of which it is probable some documents will be found relating to the history of New Jersey. So that there are 17 volumes, the contents of which refer exclusively to New Jersey, and will require to be enumerated in full, and 40 more to be examined, in order to ascertain what portions of their contents refer to New Jersey.

In the second series, or Board of Trade Papers, the New Jersey documents are in 38 volumes;—11 of these contain original papers received from the Provincial authorities and others, from 1702 to 1775; 6 volumes, entitled "Entries," contain official communications to the authorities of the Province; and the remaining 21 volumes contain the official copies of the Laws and Minutes of the Council and Assembly, from 1703 to 1774. These last may not require any particular examination, unless it be to ascertain if any existing break in the records of the laws or minutes at Trenton can be filled; but the contents of the 17 volumes will require specific enumeration. In this series, however, there are 60 volumes referring to "Plantations General,"—covering years from 1638 to 1782—and 39 volumes called "Proprieties," covering years from 1662 to 1776—and these 99 volumes should be examined in order to note such documents as may refer to New Jersey.

The result, therefore, of this enumeration is, that, in the preparation of a proper Analytical Index, there are 34 volumes, the entire contents of which will require to be noticed, and 139 volumes, exclusive of the 21 volumes of laws, &c., that will require careful examination.

In reference to the expense, Mr. Brodhead writes:—"From the best information I can obtain, the cost of the *clerical work* of making the desired index will average something like a guinea a volume *for each volume the contents of which are to be noted in full;*—with respect to the others, as the labor of research will be nearly the same, though the number of documents to be noted will be less, the remuneration will have to be made according to the time employed. Supposing the 21 volumes of Laws, Acts, &c., to be noted in full, therefore, we may estimate the clerical expenses at 55 guineas for the volumes of "New Jersey Papers;" and for the 139 remaining volumes, the necessary work may be performed for, perhaps, 20 guineas. Making due allowance for contingencies, it appears to me that one hundred guineas, say five hundred dollars, will amply meet all the necessary clerical expenses of the whole work."

There would be of course other, though trifling, expenditures connected with the matter which should be covered by the appropriation; and the propriety of making it sufficiently large to cover the expense of documents existing in the State Department of New York, is respectfully suggested. The union of the two provinces under the same government at different periods, caused many documents, referring in whole or in part to New Jersey, to be incorporated with the New York papers.

You are already aware, sir, from my previous communications, of the difficulties which attend the obtainment of permission to examine the documents in the English Archives: even admission to the apartments cannot be had except by order of one of the Secretaries of State, and the permission is always interpreted in the most restricted sense; consequently the services of some gentleman connected with the State Paper Office becomes necessary.

The most feasible plan to effect the object would be, probably, to pay the amount appropriated into the hands of three or more judicious citizens, as Commissioners or Trustees, to be authorized to prosecute the matter to a successful issue in such a manner as their judgment might dictate.

The present appears to be an auspicious time to carry out the project to completion, and your influence is respectfully solicited in its behalf. I have the honor to remain

Your obedient servant,

W. A. WHITFHEAD, Cor. Sec'y.

The Hon. Daniel Haines, Governor of the State of N. J., &c.

Letter from David Ogden "to the several persons claiming under the Indian Purchases called the Mountain, Horseneck, and Van Gieson Purchases"—from a scarce pamphlet in the Philadelphia Library.

Presented by David A. Hayes, Esq.

Newark, February 20th, 1767.

Gentlemen:—As the dispute between the General Proprietors of East New Jersey, and you, relating to the Title to the Lands included within the bounds of the three Indian Purchases, called the Mountain, Horseneck and Van Gieson's, has long subsisted and large sums of money have been expended by both the Parties in support of their claim; and as the same Dispute has been fully heard, considered, and determined in favor of the General Proprietors by Arbitrators altogether disinterested, and mutually

chosen by both Parties; and as some of the Persons claiming under said Indian Purchases, and more especially one of their committee have of late endeavored to raise a Party further to contend for said lands; and I being persuaded that such contention cannot avail them, but will tend to utter Ruin of many, (altho' one or some few who receive the Collections of the money may be benefitted), to prevent which, and that those interested in the dispute may know the true state of their case, I have very briefly stated some of the Facts and Matters given in evidence before the Arbitrators, with some Observations thereon. And,

1. As it is an undoubted maxim in the Law that all Lands held by English Subjects, must be by Title derived from the Crown of England; in support of that maxim several adjudged cases in the Law Books, were read to the said Arbitrators.

2. The Indian Purchasers being conscious of the truth of that maxim, and of the Law in that case, did, in their Bills in Chancery, and before the said Arbitrators, set up their title under the Crown, in Virtue of a pretended copy of a Licence from Sir G. Carteret, to purchase Lands of the Indians, in the Hand-writing of one Dr. Jacob Arents, lately deceas'd in the words of the following, to-wit—

"Province of New Jersey, ss. You, Mr. Obadiah Bruen, Mr. Samuel Ketchall, Micah Tompkins, John Brown, Robert Dennison, and Company, have Liberty to purchase from the Indians within this Government, what Quantity of Lands you shall think convenient: Beginning by the Bay, thence Westward, or in any other place in this Province, to take up in the right of Sir and Sir my honored Masters, and make Returns; and for so doing this shall be your Warrant. Given under my hand and Seal this Eleventh day of July, Anno Domini, 1666.

PH. CARTERET."

Altho' many objections can very justly be made against the said License being genuine, yet I shall now omit them, and pass to the Licence as it is worded, and see if it can pass any color of Title to those who made said Indian Purchases, in and after the year 1701, about 35 years after said Licence.

1st. The Licence is to five persons by name and their company; and none of the Purchasers of the Lands in dispute were of these five Persons named, or of their Company; but other Companies who joined about 35 years afterwards in the Purchases they made of the Indians; and not one of the Deeds mentions that the Purchases were made under that of any other Licence.

2dly. The Licence farther is that the said five Persons and their Company should have liberty to purchase from the Indians what Quantity of Lands they should think convenient, beginning by the Bay, thence westward, or in any other place in New Jersey; And it appears by the Records of New Jersey, that the said five Persons and their Company, did in that same year 1666, partly agree with the Indians, and in 1667, completed their agreement with them; and took their Deed for a Tract of Land beginning at, and lying Westward of the Bay: And also at another place, extending near six miles to the north of the Bay, containing upwards of Twenty thousand acres of Land; which is well known and not disputed by any.

From whence it may be justly observed, 1st. That whatever Power was given by said Licence to said five persons and their Company, the same was by them fully executed, in that and the next Year following, in their purchasing the Lands now called Newark, where they settled, and for which they took patents from the General Proprietors of New Jersey.

2dly. That said Licence was only to said five persons, and their Company, and not to their Heirs or Assigns; wherefore the power (if any there was given) was not descendable or assignable to others, and removes all Pretence of others, purchasing under said Licence, in 1701, and afterwards; and more especially those of Van Gieson and Horseneck Purchases, as Van Gieson and others concerned with him, were not of said Company, or any of the Descendants, and as none of the nine purchasers named in the Horseneck purchase, were of said Company nor their Descendants, and not more than one of them ever lived within the bounds of Newark, and the others of them lived in different Towns, in New Jersey and in New York.

3dly. By said Licence it plainly appears, that the Licence was not to give a title to the Lands, purchased of the Indians, but that the same should be taken up in the Right of the Lords Proprietors, Governor Carteret's Honoured Masters, and the Purchasers to make Returns of the Lands they should take up.

4thly. Long before said Indian purchases were made, in, and soon after 1701, Lord Berkeley, Sir George Carteret and Governor Carteret were all dead, and the Right to the Soil of New Jersey, was by several purchases vested in the twenty-four proprietors; wherefore all the Powers that could pass by said Licence were thereby determined and ceased.

5thly. Governor Philip Carteret, at the time of the date of said Licence, was not interested himself in those Lands; but the

Title was vested in Lord Berkeley and Sir George Carteret who, in 1664, drew up a set of Concessions for the Constitution of New Jersey, among which one was, that all lands in New Jersey, should be held under them, by patent from their Governor and Council, at the annual rent of one Half penny per acre; and that the same should be surveyed, returned, and entered on the public records of the Province, and appointed Philip Carteret their Governor, strictly limiting him to carry said Concessions into Execution; which Concessions and Commission were published in New Jersey, and entered on the publick Records there, and recognized in many instances by the General Assembly of New Jersey, and were well known by the inhabitants of Newark long before said Indian purchases in 1701, and afterwards.

Wherefore, it is evident, that if Governor Carteret, had granted a Licence to purchase, importing a Grant to hold the Lands; yet, as he was not interested in the Lands himself, and had not power to make any Grant, contrary to the Concessions, the Licence must be void and of none Effect. And as the Indian purchasers in 1701, and afterwards, were acquainted with said Concession, and Commission to Governor Carteret, they are destitute of all Colour of Pretence, to claim under a Licence from Governor Carteret, (if any such they had) contrary to the Constitution of New Jersey. Neither have they any Right or Title in Law or Equity, to claim under Indian Purchases: as by the Concessions of the Lords Proprietors, all Indian Purchases were to be in the names of the General Proprietors; and by the Acts of the Legislature of New Jersey, in 1683, and afterwards, it was made criminal to purchase and take Deeds of the Indians for Lands in any other manner; and that all purchases and Deeds made and taken, were otherwise absolutely null and void.

I now appeal to your Committee, and those present at the hearing before the said Arbitrators, for the Truth of the above Short, but general State of the chief points insisted on by your Counsel, Attorney, and your Committee in support of your Title to said Lands in dispute; from whence I conceive it is abundantly clear and evident that you cannot have the least pretence of claim to the King's Title, which you, by your three several Bills in Chancery, and since, held to be necessary to give a title, against the assigns of the Crown; and if so, can a spirit of Opposition of one, or a very few of your number, against the Title of the General Proprietors, regularly derived from the Crown of England, be any Ways justifiable, after the many indulgences you have received?

You well know that in and for some years after the year 1744,

many Actions were brought at Law, which gave you an opportunity to try your title to the Lands, if any you had; but that instead of defending any of the suits, you frequently broke open the King's gaol and rescued persons, committed by legal process from the King's Courts for Trespasses and other misdemeanours; and openly, in a most daring manner, bid defiance to all Authority; which was after passed over by the Courts of Justice, in a very moderate manner, to the satisfaction of all Persons, as I believe. You then engaged to have a Trial at Law, and accordingly an amicable suit was brought by Isaac Winchel, holding under the General Proprietors, against one John Thompkins, and by the Agreement of the Attornies of both Parties and their clients, a Rule was entered in the Supreme Court for the Province of New Jersey, for a struck jury from the county of Middlesex, to try that Cause; which Jury was struck in the presence of your Committee, and some of the General Proprietors; and notice of trial was accordingly given for some Day in the next Term, when the Proprietors attended with their Council from New York, and their Witnesses, at a great expence, but were prevented to try the cause, by an Injunction from the Court of Chancery to stop said Suit at Law.

You then filed your several Bills in Chancery, against the General Proprietors, and those claiming under them; which being so fully answered by the defendants, that your Council thought it unsafe for you to come to a hearing in Chancery, and advised leaving the whole dispute to arbitration; which was accordingly by you requested, and consented to by the General Proprietors, and those claiming under them, in hopes that an End might thereby be put to the long Dispute: And thereupon three gentlemen living on Long Island in the Government of New York, of good character, and altogether disinterested, were mutually chosen to determine the Dispute; who after a full hearing of the proofs and allegations of both Parties, gave their Award against you, and in favor of the General Proprietors, as to the Title.

You also must know that the Timber destroyed on the Lands, by reason of said Dispute is by far of more value than the lands, with all the improvements now are; and that many claiming under Indian Purchases, are still cutting and destroying the little Timber left on the Lands. Should any of you further dispute the title of the General Proprietors, or of their Assigns, can such expect any Favours from the Courts of Equity or Law, or from the persons having Title to the Lands? I think you will do well to consider of this matter, and not be influenced by the opinion of any one

or two of your number, or an Opinion of Council, without it be on a full and just state of your case. If you further contend, I believe from the circumstances of this cause, the Courts of Law will not be stopt in their proceedings against you, by Injunctions from Chancery; and you will very probably have a bill in Chancery brought against you, to compel you to release your right, quit your Possessions, and to make satisfaction for all the damages done by destroying the Timber on the lands, and for the costs: which suit, if brought, you may depend will not be delayed. As to those of you who are mentioned Complainants in the Bill of Chancery, for the Lands in the Mountain Purchase, pray consider, that very few of you ever lived on said lands, but hold and possess your Farms and Plantations in the Town of Newark, under Patents and Titles from the General Proprietors; that by far the most valuable parts of those disputed Lands, are settled and held under Titles derived from the General Proprietors; that not only those but many hundreds of others in Morris County, long settled under the General Proprietors, within the bounds of other Indian Purchases, made by some of the inhabitants of Newark, about the year 1701, under like circumstance with said Mountain Purchase: and should your pretended Title to the Mountain Purchase be valid, so as to give a Title, not only those in Morris County, but thousands of others who have settled under the constitution of New Jersey, will for the same reasons, be turned out of their Possessions. Can you, or any man, who has the least regard to justice, the Law and Constitution of the country he lives in, to the peace and quiet thereof, expect it will ever be the case on your weak pretence of title? As to those of you living on Van Gieson's Purchase, I now inform you, (lest those of your Committee present, at the hearing before the Arbitrators, have not been so just to you as to have done it,) that your Indian Purchase Deed is dated after the Act of Assembly of New Jersey, made and passed in 1703; which makes that purchase and deed absolutely void; And do also further inform you, living on Van Gieson's Purchase, and those settled at Horseneck, that as they who made those purchases, were not of the five Persons named in said pretended Licence of Governor Carteret, nor of their Company, nor of their Heirs, nor Associates of Newark; the active person or persons of your committee have in effect, by their Bills in Chancery, and in their pleadings before the Arbitrators, and by their Speeches since, given up your Title to those Lands, by asserting that your Title is derived from the Crown, by said Licence of Governor Carteret.

How they can justify their not truly informing you of these matters, (if they have not done it) and with what Equity they can ask and collect money from you under the pretence of trying your title. which they themselves have given up, I leave them to answer;—But must recommend it as a prudent and necessary step for you to take before you give them any more of your Cash, or further contend for your claim, to go yourselves, or send some faithful person altogether disinterested in the Mountain purchase, and unconnected with those interested therein,to some able Council in the Law, and lay before him the Bills and Answer in Chancery which your Committee have, and also this state of your case, and desire his candid Opinion thereon; whereby you will have the advantage of knowing the real opinion of some gentleman of character in the Law, without the danger of being deceived, either from a partial State of your case, or a wrong information of others you confide in. I am, gentlemen,

Your very h'ble serv't,

DAVID OGDEN.

DONATIONS

ANNOUNCED MAY 25TH, 1848.

From the New York Historical Society.—The Proceedings of the Society during the year 1847.

From the Pennsylvania Historical Society.—The Bulletin of the Society for December, 1847. No. 13, concluding Vol. 1.

Address before the Society, Jan. 28th, 1848, by Wm. B. Reed.

From Hon. Dudley S. Gregory.—The Congressional Globe and Appendix for 1848.

President's Message and Documents, Dec., 1847.

Plan of House of Representatives of U. States, 1847–8.

Mr. Webster's Argument in the Supreme Court, January 27th, 1848, in the Rhode Island Case.

Address in the Congress of the United States on the death of John Quincy Adams.

From Hon. Jacob W. Miller.—The Proceedings of the Senate of the United States—1848.

From J. B. Moore, Esq., Librarian of N. Y. Hist. Soc.—Remarks and Documents relating to the preservation and keeping of the public archives, by Richard Bartlett.

Memoirs of American Governors, by J. B. Moore.

An Address before the New Hampshire Historical Society, June 8th, 1831, by C. H. Atherton.

Annals of the town of Concord, by J. B. Moore.

From Mr. O. W. Morris, New York.—The Fourth Annual Report of the New York Association for improving the condition of the poor, 1847.

Twenty-third Annual Report of the Managers of the Society for the Reformation of Juvenile Delinquents. New York, 1847.

Twenty-ninth Annual Report of the N. Y. Institution for the Deaf and Dumb. December, 1848.

From Virginia Historical Society—The Virginia Historical Register and Literary Advertiser for January, 1848.

From the New England Historic Genealogical Society.—The Register of the Society. Vol. II. No. 1. (January, 1848.)

From the American Philosophical Society.—The Transactions of the Society. Vol. 10. Part 1st.

From the Newark Library Association.—An address by the Rev. S. I. Prime on the opening of the Hall of the Library, Feb. 1st, 1848.

From Hon. Mahlon Dickerson.—Hazard's Historical Collections. 2 vols., quarto.

Historio de la Louisiane, par M. Le Page du Prata. 3 vols., 8vo. Paris, 1758.

History of Louisiana, by Barbe Marbois.

History of Kentucky, by H. Marshall. 2 vols., 8vo.

Secret Proceedings and Debates of the Convention for forming the Constitution, &c., in 1787.

Bozman's History of Maryland.

State Papers of the United States from the Accession of General Washington to the Presidency. 10 vols.,8 vo.

From Rev. N. Murray, D. D.—The National Intelligencer from 1808 to 1813, inclusive. Folio, 3 vols.

A bound volume of Miscellaneous papers.

From David A. Hayes, Esq.—MS. Copy of a letter from David Ogden of Newark, "to the several persons claiming under the Indian Purchases called the Mountain, Horseneck, and Van Gieson Purchases"—dated February 20th, 1767. (Copied from a scarce pamphlet in the Philadelphia Library.)

From Hon. Alex. Evans, M. C.—"The Out Post Guard" for March 25th, 1848. Published in Toluca, Mexico.

From Rev. Wm. Cogswell, D. D., of Boston.—"The New Hampshire Depository," conducted by the Faculty of Gilmanton Theological Seminary. Vol. 1st, and Nos. 1 and 2 of Vol. 2d.

From W. A. Whitehead.—Printed Proposition from James Parker relative to bridge over the Raritan at New Brunswick, Nov. 2, 1791, shewing the rates of toll for several years, &c.: laid before the Legislature of the State.

The Official Fee Book of Jonathan Deare, Naval Officer at Perth Amboy, from 1784 to 1788, showing the extent of the foreign commerce at that place just after the revolution.

An Original Bond, signed by Samuel Nevill, (Judge of the Provincial Supreme Court) John Nevill, his brother, and Andrew Hay, of Perth Amboy, dated May 19th, 1739; with the signatures of Michael Kearney and Robert Hunter Morris (afterwards Chief Justice) as witnesses.

Printed Official Notification by the West Jersey Society, July 6th, 1737, of their intention to apply to Parliament for an Act authorizing them to vest their property in trustees for sale, &c.

From Mr. Lucius D. Baldwin.—The New Jersey Journal for the years 1799, 1800 and 1801, complete.

From Wm. Rankin, Esq.—Ogilby's America. 1 vol., folio. London, 1671.

From Gen. Darcy.—New York Mercantile Advertiser—from August, 1797, to January, 1798.

From L. A. Smith, M. D.—The Temperance Recorder, Albany, 1832–3. Vol. I.

Sermon on the death of Gen. Washington, at Newburyport, December 29th, 1799, by Samuel Spring.

Eulogium on President Dwight, by Benj. Sullivan, Feb. 12, 1817.

A word to Federalists—written during the last war.

Discourse before the Literary and Phil. Society of New Jersey, Sept. 27, 1821, by Samuel Miller, D. D.

War a Calamity to be dreaded, the substance of two discourses at New Castle, Maine, July 23d, 1812, by Rev. Kiah Bayley.

Oration an the death of Lafayette, by J. Q. Adams.

Address on Ardent Spirits, delivered before the Medical Society of New Hampshire, June 5, 1827. by R. D. Mussey, M. D.

From Hon. Wm. A. Duer.—Eulogy on the death of John Quincy Adams, by John Duer, Esq.

From J. McKesson, Esq., of New York.—Life of General William Hull.

MEMBERS ELECTED

MAY 25TH, 1848.

RESIDENT MEMBERS.

Charles N. Buck, Jr., *Newark.*
Samuel H. Congar, *Newark.*
Jona. Edwards Hoyt, *Union, Essex Co.*
Robert Laird, M. D., *Squam, Monmouth Co.*
Ezra A. Osborn, *Middletown,* do.
Rev. Albert C. Patterson, *Jersey City.*
George W. Savage, *Jersey City.*
Rev. Wm. C. Schenck, *Princeton.*
Wm. C. Squier, *Rahway.*
Rev. Jas. R. Talmage, *Blawenburgh.*
James B. Pinneo, *Newark.*
Adriaen Scharff, *Newark.*
Job Squier, *Elizabethtown.*
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Aaron R. Throckmorton, *Freehold.*
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Alexander Vattemare, Esq., *France.*

A MEMOIR

OF THE

REV. JAMES CALDWELL,

OF ELIZABETHTOWN.

READ BEFORE THE SOCIETY,

MAY 25TH, 1848,

BY

REV. NICHOLAS MURRAY, D. D.

MEMOIR

OF THE

REV. JAMES CALDWELL.

But few incidents connected with the war of the Revolution have made so abiding an impression on the people of New Jersey as those connected with the death of Rev. James Caldwell, of Elizabethtown, and his accomplished and lovely wife.

As all the main circumstances connected with the death of Mrs. Caldwell are already before the public, and are matters of authentic history, I shall here omit their recital. As reports were circulated at the time of her death for the purpose of modifying the atrocity of the act, and screening some of the Tories from the indignation of the people, her bereaved husband drew up a detailed account of the transaction. It was widely circulated at the time, and, as Chief Justice Marshall in his Life of Washington testifies, obtained universal credence. The only copy of that paper I have ever seen I obtained from Josiah Caldwell, Esquire, of Washington City, the only surviving son of his martyred parents; and lest it should be lost I obtained its reprint in the Elizabethtown Journal of June 1st, 1847, a copy of which is deposited in the Archives of the Society.

The traditions which have descended through the generations of the Caldwell family teach us that it was of French origin, and that during the reformation commenced by Calvin in France they became Huguenots. Driven from their country by the fierce persecutions which succeeded the revocation of the Edict of Nantz, they fled to Scotland, where they lived upon an estate called Cold Well, from a remarkably cold spring of water upon it.* Driven from Scotland by persecution, and by the atrocities of Claverhouse and his bloody troopers, they fled to Ireland, where as Presbyterians they were permitted to worship their God in peace. They settled in the county of Antrim. Early in the eighteenth

* This is said to be the origin of the name.

century John Caldwell came to this country from Ireland, bringing with him, besides his wife and children, four sisters, all unmarried. Landing at New Castle, he first settled in Lancaster county, Pennsylvania—but soon he removed to a settlement called Cub Creek, in what is now called Charlotte county, Virginia. There James, the subject of the present Memoir, was born in 1734, the youngest of seven children. And so numerous became the descendants of John Caldwell, that they gave their name to a place which we learn is called "THE CALDWELL SETTLEMENT" to the present day.

He was sent to Princeton College, where he graduated in 1759, the first year of the presidency of the eloquent Davies. In about a year afterwards he was licensed as a probationer for the ministry, and in 1761 he was ordained by the presbytery of New Brunswick, and probably installed pastor of the 1st Presbyterian Church of Elizabethtown. (I believe the date on the Monument 1762, should have been 1761.) He was married March 14, 1763, to Miss Hannah Ogden, of Newark, whose piety and fortitude helped to cheer and sustain him through many a dark and trying scene.

Soon after his settlement in Elizabethtown, commenced the differences between Great Britain and her Colonies which resulted in the war of the Revolution, and subsequently in our independence. Descended from the Huguenots, and imbibing the spirit of the Scotch Covenanters, he may be said to have inherited a feeling of opposition to tyranny and tyrants. Possessing warm feelings, and fine genius, and great muscular energy, and sleepless perseverance, he entered with all his heart into the controversy. Connected with his congregation at the time were Jonathan Dayton, and his sons; Aaron Ogden, and Matthias his brother, Francis Barber, William Crane, Oliver Spencer, Elias Boudinot, William Livingston, Abraham Clark, and others, who obtained character and eminence by their valor and patriotism and wisdom, and whose names will long live in the annals of their country. Sustained and supported by such men, and he infusing his spirit into them, he and his people were soon branded as rebels; and richly they deserved the name.

On the commencement of hostilities, and the formation of the Jersey Brigade, he was at once selected as its Chaplain.

In June, 1776, he joined the Jersey regiment then on the northern lines, under the command of his friend, Col. Dayton. His regiment was stationed at Johnstown when the news of the Declaration of Independence reached it. Col. Ebenezer Elmer then,

and there in the service, made the following note of the ceremonies to which the news gave rise on the 15th of July, 1776:

"At 12 o'clock the assembly was beat, that the men might parade in order to receive a treat, and drink the States' health. When, having made a barrel of grog, the Declaration was read, and the following toast was given by Parson Caldwell: 'Harmony, honor and all prosperity to the free and independent United States of America—wise legislators—brave and victorious armies both by sea and land to the United States of America.' When three hearty cheers were given and the grog flew round amain."

He did not remain with the army until the close of the campaign, as we learn from the Journal of Elmer, as he remarks on the 15th of September, 1776, "Mr. Kirtland" (a famous Missionary to the Indians, and the father of the late President Kirtland, of Harvard College) "who supplies the place of Mr. Caldwell in this battalion and among the Indians whose language he speaks very well, gave us a sermon this afternoon from Mat. xii. 31, "He that is not with me is against me."

He returned to New Jersey, where he was incessantly occupied by his public and parochial duties. His popularity with the army and people was unbounded, and his practical wisdom and business talents were held in the highest estimation.

But his popularity with the friends of the revolution was equalled if not surpassed by his unpopularity with its enemies. High rewards, it is said, were offered for his capture, and to avoid the dangers to which he was constantly exposed from the Tories and the enemy then in the possession of Staten Island and New York he removed his residence to Connecticut Farms where it continued until his death. Such were his own apprehensions, and those of his friends, that he usually went armed; and, after the burning of his Church, when preaching in what is yet spoken of as the Old Red Store, he was often seen to disencumber himself of a pair of pistols, and lay them by his side. To us, in these days, all this looks very strange in a minister of the gospel of peace; but there is an old proverb which well says that "circumstances alter cases." He would not be a tory—he could not be a neutral, his temperament forbid it—and the principles which led him to defend his country also taught him to defend himself. The foolish principles of "non-resistance" were yet unborn. And he belonged to a class of ministers who, almost to a man, considered it their duty to God to aid their country in every way possible in the existing struggle; some of whom raised their own companies and marched at their head to meet the enemy.

He slept under his own roof on the night previous to the attack on Connecticut Farms when Mrs. Caldwell was shot. Hearing of the approach of the enemy he mounted his horse and proceeded to the quarters of Washington. After going a short distance he returned to persuade his wife to flee with him—but she could not be persuaded to go. Whilst drinking a cup of coffee in his saddle, the enemy appeared in the distance, and bidding his wife farewell he galloped away. This was his last interview with her, and before sunrise in the morning. On the evening of the day he heard two soldiers whispering something to one another, and could only detect the sounds "Mrs. Caldwell" frequently repeated. Suspecting that all was not right, he besought them to tell him the worst; it was thus he first learned the tragic end of his wife.

On the subsequent attack upon Springfield on the 25th of June, 1780, he was present and, in every way he could, encouraging the troops. It is said that during the conflict the wadding of a company of soldiers failed—Caldwell flew to the Presbyterian Church, then under the care of the Rev. Mr. Van Arsdale, father of the late Elias Van Arsdale of Newark, a distinguished member of the Essex bar, and filling his pockets and his arms with Watts' Psalms and Hymns rode back to the Company scattering them among them; crying out, as he flung one here and another there, "*Now put Watts into them, boys.*"

When the army was reduced to a very low state, both as to pay and provisions, Caldwell was appointed Assistant Commissary General, and opened his office in Chatham. In this position his services were of immense value. Such was the confidence of the people in him that provisions were soon supplied, and upon whatever guarantee he could give as to pay. And often when the soldiers were under great excitement because of the incapacity of Congress to pay them, the patriotic addresses of Caldwell allayed their feelings, and excited their enthusiasm to fight on to the last, under whatever trials and hardships.

The following anecdote is related of him and his devoted friend and pious parishioner Abraham Clark, whose name is yet familiar to the people of East Jersey as Congress Abraham. Over the door of the office of Caldwell in Chatham, were the letters D. Q. M. G., being the initials of Deputy Quarter Master General. Perceiving Mr. Clark approaching the door he went to meet him, and found him intently gazing upon the above letters. "What," said he, "are you looking at so earnestly?" "I am looking," replied Clark, "at those letters, and I am striving to comprehend what they mean." "Well, what do you think they mean," asked Cald-

well. "I cannot conceive," replied his friend, "unless they mean 'Devilish Queer Minister of the Gospel.'" The anecdote shows the great familiarity between the men; and after a hearty laugh over the joke, the pious patriots took counsel together as to the affairs of the state and nation.

Whilst New York and Staten Island in 1781 and 1782 remained in possession of the British, yet the war between the royal and republican armies was mainly at the South. New Jersey remained comparatively tranquil after the retreat of Knyphausen from Springfield, and the destruction of the bridge at Elizabethport. By flags of truce there were constant communications with New York, and the goods purchased there were sold in all our towns. And there were just soldiers enough left in New Jersey to sentinel the main points, and to give due notice to the people in case of attack. In this state of things Mr. Caldwell was chiefly engaged in attending to the spiritual wants of his people.

There lived in the city of New York a family by the name of Murray which greatly endeared itself to many in New Jersey by its kindness to the Jersey prisoners in that city. Some of their relations resided in Elizabethtown. Arrangements were made for a visit from Miss Beulah Murray; and on the 24th of November, 1781, she came to Elizabethtown Point under a flag of truce; and Mr. Caldwell went down in his carriage to meet her, and to convey her to the town. As to the incidents which follow there are conflicting statements; but those are adopted which are regarded, on the whole, as best sustained by the most competent and numerous witnesses.

A sentry was kept up at the time at the port. Tying his horse outside the sentinel, Mr. Caldwell proceeded to the wharf, and taking with him Miss Murray, placed her in his carriage. He then returned to the boat for a small bundle belonging to Miss Murray. Thus he passed the man keeping guard thrice. With a small package in his hand he was returning a second time to his carriage when he was ordered by the sentinel to stop, thinking probably there was something contraband in the bundle. He replied that the bundle belonged to the young lady in his carriage. The sentinel said that it must be examined. Mr. C. turned quickly about to return it to the boat that it might be opened there, when he was shot. David Woodruff, who was captain of the guard, hearing the report of a gun, turned to see at what it was fired; and seeing Mr. Caldwell staggering before him, he ran and caught him in his arms and laid him on the ground. Without speaking a word, he almost instantly expired, the ball having passed through his heart.

The man that shot him was James Morgan, belonging to the Jersey militia, an Irishman by birth, a Roman Catholic in religion, and of the very lowest moral character. He was always drunk when he could be, and when in liquor, he was a savage. His family resided near a well in Elizabethtown into which a little child of his fell one day, and was drowned. When he returned he found his child dead; and taking it by the arms he beat its broken-hearted mother with the dead body of his own child until her cries brought some of the neighbors to her rescue.

Whether Morgan was on duty or not as a sentinel when he shot Caldwell is more than questionable. Dr. Morse, the father of American Geography, thus states the event—"Having received her (the lady) in his chair, the sentinel observed a little bundle in the lady's handkerchief, and said it must be seized for the State. Mr. C. instantly left the chair, saying he would deliver it to the commanding officer who was then present, and as he stepped forward with this view *another soldier told him to stop*, which he immediately did. The soldier without any farther provocation shot him instantly dead on the spot." Many of the old people about Elizabethtown, whose testimony has already been laid before the public, say he was not on duty—and an aged person in Westfield who witnessed the trial, says that one of the main facts which led to the execution of Morgan was that he was not on duty as sentinel at the time;—he was relieved but a few minutes before the arrival of Mr. Caldwell.

The dead body of Mr. Caldwell was laid on a bed of straw in a wagon and was driven to town by Mr. Robert Twigley. It was taken to the house of his friend Mrs. Noel, whence it was buried on the following Tuesday, Nov. 28th, 1781, attended by an immense number of citizens, Dr. Macwhorter of Newark performing the funeral services.

Lieutenant Woodruff had Morgan immediately arrested and sent to the quarters of Major Scudder, then the commanding officer at the station. Major Scudder delivered him to the civil authorities, and he was committed by Isaac Woodruff, Esquire, to answer to the charge of murder.

As might be supposed, the excitement in the community was very great; and to preserve Morgan from the vengeance of an enraged public feeling, he was sent after a few days' confinement in what was known as the Thomas house in Elizabethtown, to Burlington, for safe keeping.

The winter of 1781 was a season of great severity. The cold was intense and protracted. The bay and the rivers around New

York were frozen over, and the Jersies were greatly annoyed by plundering parties from New York and Staten Island crossing on the ice. It is narrated that during this winter heavy cannon were drawn upon the ice from New York to Staten Island. The January term of the Supreme Court for 1782 was held in Westfield, the Judges fearing that if held at Newark, their usual place of sitting, they might be surprised by the British and the Tories.

The Court was opened in the Presbyterian Church of Westfield, Judge Symmes presiding, assisted by Judge Burnet. Before this Court Morgan was arraigned for murder. Colonel DeHart of Morristown was his attorney. A jury was regularly impanneled, the accused permitted the right of challenge. On his challenge John Crane and David Baker were set aside, both men of respectability. The following are the names of some of the jurors who decided his case:—Ephraim Scudder, Benjamin Meeker, David Ross, Aaron Woodruff, John Ryno, Caleb Maxwell. Persons present at the trial describe it as a remarkably solemn one. And after a fair and full examination the jury returned a verdict of murder against the prisoner. And he was sentenced by the Court to be hung on the 29th of January 1782 "*for the willful murder of the Rev. James Caldwell.*"

After his sentence he was confined in irons in a house in Westfield then occupied by William Scudder, guarded by some soldiers. Smith Hetfield and Lewis Blanchard, two notorious refugees, were confined in the same house with him.

The day appointed for his execution arrived. His grave was made in the north-western corner of the church-yard in Westfield, away from all other graves; some even objecting to have his remains placed within the enclosure. He asked the privilege of seeing his grave, and was taken to it by the Sheriff. He was then conducted to the Church, where, in accordance with an old English custom, which had not then fallen into disuse, a sermon was preached by the Rev. Mr. Elmer of New Providence, from the text, "O do not this abominable thing which I hate." The prisoner was seated in a chair in the aisle before the pulpit; but seemed in no way impressed either with the discourse or with the awfulness of his situation. He was conducted from the Church to the place of execution, (a hill north of the Church of Westfield, called Morgan's hill to this day,) by Noah Marsh, High Sheriff of the County of Essex, assisted by Isaac Clark and James McMannis, constables, and escorted by a company of Light Horse commanded by Captain Samuel Meeker of Springfield, and a company of Infantry commanded by Captain John Scudder of Westfield.

Although the day was intensely cold, so cold as to give rise to the saying, "it is almost as cold as the day when Morgan was hung," there was a vast number of spectators. There is a tradition, not well authenticated, that he said to the soldiers on his way to the gallows, "Soldiers, do your duty, I am to be hung for doing mine." It is extremely doubtful whether he ever said so; and if he did it is utterly unworthy of credence, in the view of all the circumstances. But there are those yet living who stood near him on his execution and who testify that they heard him addressing the Sheriff with an oath, telling him to do his duty quickly, and not keep him shivering in the cold. He acted out the wretch to the last.

As to the motives which induced Morgan to murder Caldwell, it is difficult at this distance of time to decide, and in the absence of all records of the trial. There are, besides, opposite statements on the subject. Some say he was drunk at the time. Others say that he was greatly irritated because he was not regularly paid his wages, and because Caldwell was the Commissary he supposed the sin and blame were his. Samuel Hicks, a witness against him, testified that he was heard to say, for the above reason, that he would "pop Caldwell over," the first opportunity. Others again say that he was bribed by the British or Tories to shoot him. Bribery in some way or other is charged upon Morgan by the majority of the aged people who remember the occurrences of that day. The opinion of old Governor Pennington, a name venerated in New Jersey, was that Morgan was believed to have been bribed by the British or the Tories. But impute to him either of these motives, and yet his shooting of Caldwell was a wanton and wicked murder. And from the decision of the Court and Jury in the case no appeal should now be permitted, save on the strongest possible grounds.

As an evidence of the universal belief at the time that Morgan was an atrocious murderer, we will conclude this narative by an extract from a letter written by the Hon. Abraham Clark then a member of Congress, to Captain Benjamin Winans of Elizabethtown; the letter is dated

PHILADELPHIA, January 16th, 1782.

"I suppose by this time that the murderer of Mr. Caldwell has been tried and received his doom: but that will not restore our loss, which will be long felt in Elizabethtown. I hope you will not be in a hurry to get another, for few can be found to succeed him that is gone. I have only one or two in my mind that might answer, but I think that they could not be got till the end of the war, as they are chaplains of the army."

The documentary evidence, collected with no little painstaking, from which this narrative is compiled, is in my possession, and will be cheerfully placed at the disposal of the Historical Society.

So vivid are the recollections of the old people of East Jersey of Caldwell, that from their descriptions of him an artist might almost paint him to the life. He was of middling size and strongly framed. His countenance had a pensive, placid cast; but when excited was exceedingly expressive of resolution and energy. His voice was sweet and musical, but yet so strong that when needful he would make himself heard above the notes of the drum and the fife. As a preacher he was uncommonly eloquent and pathetic; rarely preaching without weeping himself; and at times would melt his whole audience into tears. The venerable Dr. Green, now going on to his 90th year,* says that the impressions made by one sermon of Caldwell's, preached in Chatham, in 1779 1780, have never been effaced from his mind.

He was a man of such unwearied activity, that no amount of bodily or mental labor could fatigue him. Feelings of the most glowing piety and of the most fervent patriotism occupied his bosom at the same time,without the one interfering with the other. He was one day preaching to the battalion, the next providing the ways and means for the support, the next marching with them to battle; if defeated, assisting to conduct their retreat; if victorious, offering their united thanksgivings to God; and the next, offering the consolations of the gospel to some dying parishioner, or pouring the oil of consolation into the wounds of the afflicted. Down to the present hour, the aged ones speak of him with tearful emotion. Never was a pastor more affectionately remembered by a people. And as a token of their affection for him the County of Essex called one of its townships by his name.

Mr. Caldwell left behind him nine orphan children with but a scanty patrimony for their support, and even that was unwisely managed. But God raised up friends for them; and they all lived and rose to distinguished positions in the church and in the state.

Margaret, the oldest child, became the wife of Isaac Canfield, of Morristown.

Hannah became the wife of James R. Smith, for many years a distinguished merchant of New York; and subsequently the wife

* This venerable Jerseyman has died since the reading of this paper before the Society.

of Dr. Rogers. She was the mother of the wife of M. St. Clair Clarke, of Washington City, and of the wife of Governor Duncan, of Indiana.

John Edwards was taken by Lafayette to France, and was educated under the direction of the Marchioness. He subsequently returned to this country, and for many years was a devoted philanthropist of New York city, and the intimate friend of such men as the Masons and the Romaines. He was foremost among the founders of the American Bible Society.

James B. lived and died in Woodbury, and was for many years a Judge of the Courts of Gloucester County.

Esther became the wife of the Rev. Dr. Finley of Baskenridge; distinguished as a minister, as a teacher, as the founder of the American Colonization Society; and who died whilst President of Athens College in Georgia.

Josiah F., the only surviving son, is an officer in the General Post Office at Washington.

Elias B. was for some years the Clerk of the Supreme Court of the United States; and because of his noble efforts in the cause of Colonization, one of the towns in Liberia is called Caldwell in honor of him.

Sarah became the wife of the Rev. John S. Vreedenburgh, for many years the beloved pastor of the Reformed Dutch Church in Somerville.

Maria married Robert S. Robertson, a merchant of New York, who with her husband yet survives. This is the child that was on its mother's breast when she was shot.

At a meeting of the Cincinnati of New Jersey held in Elizabethtown, July 4th, 1844, it was suggested to them that a monument ought to be erected to the memory of this patriot minister, and that the suggestion as to its erection should come from them. The idea was kindly entertained, and a committee was appointed on the subject. A similar committee was appointed by the 1st Presbyterian Church of Elizabethtown to co-operate with that of the Cincinnati. And through the joint agency of these committees, a beautiful white marble monument to the memory of Caldwell was erected over his remains in the graveyard of the 1st Presbyterian Church, to transmit the memory of his piety, patriotism and virtues in the generations and ages to come.*

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* The following are the inscriptions on the Monument:—

On the East side—

'This Monument is erected to the memory of the Rev. James Caldwell, the pious and fervent Christian, the zealous and faithful Minister, the eloquent Preacher,

A question has arisen, and perhaps it will present itself to many minds, as to the propriety of a minister of the gospel taking such an active part in the secular affairs of the country. On a suitable occasion I should like to meet the man who would take the negative of the question. We owe the freedom of this country to the religious ministry of the country. If all the ministers of the country had taken boldly the ground assumed by some, that there could not be a state without a king, the lion and the unicorn guarding the crown would have been the emblem of our sovereignty until the present hour.

May the church never want such ministers, nor the state such patriots as was Caldwell, May the names of the ministers of the gospel who aided in securing for our country the freedom which it enjoys ever live in the memory of a grateful people.

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and a prominent leader among the worthies who secured the independence of his country. His name will be cherished in the Church and in the State so long as virtue is esteemed or patriotism honored."

On the South side—

"James Caldwell, born in Charlotte Co., Va., April, 1734: Graduated at Princeton College, 1759; Ordained Pastor of the First Presbyterian Church at Elizabethtown, 1762. After serving as Chaplain in the Army of the Revolution, and acting as Commissary to the Troops in New Jersey, he was killed by a shot from a sentinel at Elizabethtown Point, Nov. 24th, 1781."

On the West side—

"Hannah, wife of Rev. James Caldwell, and daughter of John Ogden, of Newark, was killed at Connecticut Farms by a shot from a British soldier, Jan. 25th, 1780. Cruelly sacrificed by the enemies of her husband and her country."

On the North side—

"The memory of the Just is blessed."

"Be of good courage, and let us behave ourselves valliantly for our people, and for the cities of our God, and let the Lord do that which is good in his sight."

"The glory of Children are their Fathers."

JOURNAL

OF

LIEUTENANT EBENEZER ELMER.

[*Concluded from page* 56.]

TICONDEROGA, NEW YORK.

Friday, January 24th, 1777.—Went into the Major's and took up my abode along with him. About 11 o'clock Wm. Tullis departed this life, after a long illness of almost three weeks. His former character, his upright and christian-like behavior since his engagement in the present cause, amidst all the evils to which soldiers are exposed, his calm and peaceable temper of mind in his last severe illness, fully testified to me and every other observer, that he was really prepared to meet the grim messenger, and now is happy, enjoying the blissful effects of a well spent life.

Saturday, January 25th, 1777.—Buried Wm. Tullis in as decent a manner as possible. No Sergeant to attend the company. I therefore have to act as Captain, Lieutenant, Sergeant, and every thing else. Nothing material more, except that Wood's and Wayne's regiments marched the whole of yesterday, upon which the 6th regiment took umbrage, and some of them went off, others fired several rounds, but were at last prevailed on to stay a few days. Peter Sheppard died.

Sunday, January 26th, 1777.—This day Major Barber, in a letter from Capt. Bloomfield, got the whole appointments of the officers in the State of New Jersey. So we spent most of the day in examining them.

Monday, January 27th, 1777.—We have well authenticated intelligence of the enemy's being driven out of the Jerseys. Major B. and I had a very warm dispute, he charged me with ill treating my Captain and him, which has fully persuaded me of what I before thought, that Capt. Bloomfield was working my ruin in a secret manner, which, however, he may not at last be able to accomplish.

Tuesday, January 28th, 1777.—Wrote several letters to send down by Capt. Sharp.

Wednesday, January 29th, 1777.—This day I was ordered to get ready for a scout to Crown Point, with 12 men. Accordingly

waited on Col. Wayne in the evening, and received orders respecting my march.

Return of the sick belonging to Captain Bloomfield's company, Mt. Independence, January 1st, 1777:

Gone down to Albany—Serg. Street Maskell, Fifer Henry Bragg, Privates Daniel Laurence, Elijah Wheaton, Oth. Johnson, Samuel Jackson, James Ray, Robert Griggs, John Casperson, Philip Sheppard.

Present—Sergeants Preston Hannah, John Reeves, Corporals John Jones, Thomas Parker, Dr. Joel Garrison, Privates Wm. Tullis, Eli Moore, Reade Sheppard, Azariah Casto, Peter Shep pard, James Yates, Daniel Ireland, Uriah Maul, Davis Langley, Charles Bowen.

Thursday, *January* 30*th*, 1777.—About 10 o'clock set out on the scout, and proceeded on the ice, which proved exceeding slippery, up to Crown Point; a little before sunset, very wearied with travelling, took up our lodgings at one McKinzie's, on the Point. The works on the Point are very elegant, though much damaged, and the situation pleasant for a campaign.

Friday, *January* 31*st*, 1777.—After viewing the fortifications, we proceeded on down the Lake in order to make discoveries: passed by several inhabitants, and after travelling eight or ten miles making no discoveries of any enemy, we returned in the evening to our former lodgings, where we stayed again all night as quietly as before. Am informed by the inhabitants that the regular army which was here last fall consisted of 10 regular regiments, 500 Indians, and 500 Canadians.

Saturday, *February* 1*st*, 1777.—After getting breakfast, &c., we set out for home about 9 o'clock and arrived there about 3 o'clock, P. M., when I waited on Col. Wayne, informing him of my route. Found that Lt. Col. Barber had received a letter from Col. Dayton, Parson Caldwell and Major Bloomfield corroborating the former salutary account from the Jerseys, and that a capital engagement was shortly to be expected with the King's troops, which are yet at Brunswick. Likewise that Dr. Elmer is in the Continental Congress, Dr. Potter and Abijah Holmes commanders of a regiment raised till April, with whom are Josiah Seeley, Joseph Ransay and others, Ogden, Maskell and Pierson Captains.' The officers received their warrants.

Sunday, *February* 2*d*, 1777.—Captains Sharp and Dayton set out from here to return to the Jerseys last Thursday.

Friday, *February* 7*th*, 1777.—Clear, pleasant weather. Stayed in the house playing cards, &c., a great part of the day.

Saturday, *February* 8*th*, 1777.—A scout ordered from our regiment to-morrow, Lt. Mott to command it.

Sunday, *February* 9*th*, 1777.—Scout set out according to yesterday's orders. No troops coming in, nor any prospect of our leaving the ground, though the men's times are expiring in swift succession.

Tuesday, *February* 11*th*, 1777.—The garrison at present consists, on Mt. Independence side, of our broken regiment, 210 effective, and 30 men of Warner's regiment. Ti' side, 500, Col. Robertson, and 400 Col. Simons, all raw militia. Cards and drinking are the diversions which the whole garrison are daily employed at. Major Hay and wife, Major Barber, Col. Wayne, Major Ryan, Dr. McGray and McDole furnish a very intimate club. Our scout returned without any discovery.

Wednesday, *February* 12*th*, 1777.—Late at night the scout out from Warner's regiment returned, reporting that they saw a large number of regulars and Indians coming down upon us, upon which Col. Wayne sent over to Major Barber to reinforce our south guard with an officer and 12 men, and to alarm the whole garrison that they might be prepared for an attack. I accordingly was about till one o'clock A. M., when we all went to bed and slept unmolested till morning. The whole garrison to parade to-morrow.

Thursday, *February* 13*th*, 1777.—This day the whole of the forces composing the garrison of Ticonderoga and Mt. Independence were paraded on the ice, our proper alarm posts pointed out, &c. Two Frenchmen from Canada were brought in prisoners, who informed us that on their way they saw at two different times a number of Indians, about 200, coming this way, and that we might therefore expect them here around our encampment for prisoners; they further say that Burgoyne is gone home; Charlton with a good part of the troops at Quebec: Gen. Philips with 1200 at Montreal; a number at St. Johns, Chamble, and Laprarie. By their appearing friendly, and declaring that they ran away in order to come over to us, and showing tokens which proved that they had been in our service last year, they were let go at their liberty. We began to get abatus to lay round our picket fortification which encompasses our barrack in order for a more solid defence.

Saturday, *February* 15*th*, 1777.—A fatigue party from our regiment was ordered out to place the abatus as fast as they were hauled, at which I labored part of the day. We are informed that troops are coming in, but cannot as yet have the satisfaction of beholding them.

Sunday, *February* 16*th*, 1777.—About 40 or 50 troops came in this afternoon, which gives us some hopes of leaving here some time this spring, at any rate. Mrs. Hay set out in a sleigh for Albany.

Monday, *February* 17*th*, 1777.—Spent most of the day in the house, reading, &c. In the afternoon laid abatus for some time. Ordered to take my guard to-morrow morning. Adjutant Sheppard returned to the regiment late this evening, but brings no material news.

Tuesday, *February* 18*th*, 1777.—Went on guard at the usual time of mounting, and continued all day and night as usual vigilant on my post without the least molestation.

Wednesday, *February* 19*th*, 1777.—Was relieved by Lt. Gelaudit at the usual hour, and I waked up the guard and dismissed them. Ordered the whole troops which compose this garrison to parade to-morrow morning; likewise ordered to send the sick from each company to Albany in sleds to morrow morning.

Thursday, *February* 20*th*, 1777.—Regiment paraded, but the inclemency of the weather prevented our going on the ice for exercise, and after some short time were dismissed.

Friday, *February* 21*st*, 1777.—Some few troops came in, so that we expect in a short time to be relieved.

Saturday, *February* 22*d*, 1777.—Sent down to Albany sick, Elijah Moore, David Dare, Alex. Jones, Wm. McGee and Daniel Ireland. Afterwards went over in company with sundry officers to dine. Spent the evening in drawing a muster roll for the M. M. General, who is to muster our regiment to-morrow.

A scene something diverting, though of a tragic nature, was exhibited some time ago on this ground; the men died so fast for some time that the living grew quite wearied in digging graves for the dead in this rocky, frozen ground: when it happened one day that two of our men being dead, graves were dug for them, but whilst they were busied in preparing the corpses and bringing them to the place, the Pennsylvanians took two of their dead men and carried them to the graves our men had dug, having none prepared of their own, and were just finishing their last kind offices to them, in covering them over in our mother earth, when our men arrived with theirs, and finding the Pennsylvanians making use of their repository a wrangle between the two parties ensued; and finally, our men proving the strongest dug up the others and buried their dead in their own vaults, so the others were obliged to cover their dead in gutters with logs and stone, thinking it too hard to labor so much for those for whom they might never expect any return as to cover them with frozen earth.

Sunday, February 23d, 1777.—This day, in consequence of Col. Barber's orders, the whole of our regiment, waiters, artificers, &c., hospital patients only excepted, were paraded, consisting of upwards of 250, and mustered by Col. Varick, M. M. General.

Monday, February 24th, 1777.—Oliver Shaw died very suddenly in the evening after a short sickness, with full reason to the very last.

Tuesday, February 25th, 1777.—Major Stevens with a company of artillery, arrived here to-day, as also Col. Baldwin, Chief Engineer; likewise upwards of 100 militia from the Mohawk river. Buried Oliver Shaw.

Wednesday, February 26th, 1777.—Busy in drawing out my muster rolls. Col. Bellenger and Capt. Isenlord being Major of this detachment of militia came to see me to day. Major Stevens, Dr. Sergeant and some other gentlemen dined with us. A company more of artillery arrived here, well rigged and prepared for a campaign, coming from Boston. Expect to march homewards on Sunday next.

Friday, February 28th, 1777.—Orders were given this day for Col. Dayton's regiment to be taken off duty and prepare to leave the ground on Sunday morning at sunrise, we therefore began to prepare therefor.

Saturday, March 1st, 1777.—Delivered in the bed-ticks and other articles, and then went over with a company to take our farewell dinner at Wallis's, and by the fumes of wine, egg rum and all-fours, a very homogeneous mixture indeed, I was considerably intoxicated; nevertheless came home and prepared for marching to-morrow.

Sunday, March 2d, 1777.—Arose very early, and tackled up everything. Just as the drums beat the assembly I paraded the men; and as soon as the baggage was all packed up, without eating one mouthful, set out on the march with our men, in company with Capt. Dickerson's, Potter's and Ross's companies, and proceeded up the Lake towards Skeenesborough on the slippery road.

We arrived at Skeenesborough very tired, without eating, about two o'clock, and many being as yet behind; yet we pressed on with such as had arrived, leaving one sleigh to bring up the rear. I marched on with Capt. Dickerson about six miles, when it being just sunset the sleighs came up and we got in to ride, taking in all the men we could, and drove on, leaving a number behind. It being very cold, and not arriving at Fort Ann, 52 miles, till late in the evening, I had well nigh frozen stiff before we got there; after getting our men in the barracks a sleigh was sent back a few miles to take up any that might be perishing on

the road, they soon returned with several. To be short, after a world of trouble I got some supper, and Lieut. Harrison and I, laid down our blankets, upon the floor, to take our rest, but my hips were so sore and my limbs so weary that I got but little all night.

Monday, March 3d, 1777.—After waiting until about 8 o'clock for the rear to come up in vain, we set out and marched down the road. I travelled on foot about 8 miles below Fort Edward and then got in a sleigh and rode to within two miles of Saratoga, and then got out and went on foot there, and got in the barracks, which are pretty spacious, and stayed all night, with Capt. Dickerson, Reading, &c.

Tuesday, March 4th, 1777.—Made the best of our way to Albany through the new city; arrived in town just at dusk, having only 14 of my men with me, whom I got in the barracks and then took my lodgings with Capt. Gifford and Mr. Nercross, at Mrs. Willetts, and there got in a good bed, which, after such a fatiguing march, was very agreeable, and a great contrast to what I have been accustomed of late.

Wednesday, March 5th, 1777.—A number of our men who were left behind arrived to-day, as also Col. Barber and the whole of the officers. We paraded at sunset, and received orders to parade again to-morrow morning at 9 o'clock.

Left Albany March 7th, and arrived in Esopus the 9th; left Esopus, otherwise Kingston, March 11th, travelled by the way of the Wallkills through New Paltz, and arrived at Goshen the 13th; left Goshen March 15th, travelled on by way of Florida and through Sussex, and arrived at Col. Dayton's on the Succasunnah Plains, the 17th, where we lodged all night.

Tuesday, March 18th, 1777.—Left Col. Dayton's early in the morning and pushed on till we arrived in Morristown, about 12 o'clock; found the place quite desolate. In the evening Dr. Elmer arrived in town on business to his Excellency, Gen. Washington.

Wednesday, March 19th, 1777.—Pleasant day; paraded twice; towards evening the Colonel arrived, but was not able to give us our final determination respecting our discharges. Spent the day among my friends.

Thursday, March 20th, 1777.—Major Bloomfield came up here last evening. Drew the pay for my company for two months, made out our pay roll, &c.

On Sunday, the 23d, we set out for home, and I arrived at Bridgetown the Friday following, being the 28th of March, having been from there a year and one day, and oh! that I might be truly thankful to God who has brought me safely back.

Spent my time among my friends, settling accounts, providing clothing for another campaign, &c., until Sunday, 13th April, 1777, when I took leave of all my friends present, and set out in company with Mr. Mackey on horseback for Philadelphia, putting trust in the Lord of Hosts, who, I am fully persuaded, is able to preserve through the following as well as the former campaign. Lodged that night at "Death of the Fox," after passing through Woodstown and spending some hours with Dr. Duffe. Monday, 14th, arrived in Philadelphia, and there continued till Tuesday evening, when I went across to meet my chest and the Doctor's wife and James Ramsey, who have moved up. Likewise came up Capt. Gifford—we continued in town till Thursday, 17th, about 12 o'clock, when, having got our chests in a powder wagon going to Princeton, we travelled on thither. Lodged that night at Nashamany Ferry.

Friday, April 18th.—Set out and travelled on to Trenton, where we continued this night, viewing the ruins caused by the enemy's devastations.

Saturday, April 19th.—Set out and went to Princeton; waited on his Honor, Gen. Putnam, for a wagon and pass to join our regiment. Spent the afternoon and night with Lieuts. Bowen and Eli Elmer of the Artillery there.

Sunday, April 20th.—Having got a wagon bound for Morristown, we set out and travelled through the rain to Raritan, where I parted from the wagons, allowing my chest to go on, and travelled on through Bound Brook, Quibble Town, Samptown, &c., to Col. Shrieves' quarters near Spanktown, where I arrived about 9 o'clock in the evening, and agreed to enter as Surgeon Mate under Dr. Lewis Howell their Surgeon.

Monday, April 21st.—Spent the day in visiting some of the sick, &c. In the evening had an alarm by some firing of the enemy.

Tuesday, April 22d.—This day we were again alarmed, and so continued to be almost every day and night the week out. Wednesday night Capt. Lucy with a party of 60 men and 3 subalterns, went out to surprise the enemy's picquet near Amboy, but by its being removed they were not able to accomplish it as was desired, they however killed one sentinel and knocked down another; the garrison hearing the fire came out to their relief, upon which our men were obliged to retire. Thursday night Capt. Tlahaven went out with 20 men, but unluckily getting, as was supposed, within their lines in the dark and rain, not so much as one escaped to tell us of the fate of the rest; upon which the officers were lavish in their opinions concerning the affair, some commended

him as being a very brave officer, others disapproved the action and his conduct; upon the whole, I believe his bravery was indisputable, but his enterprising disposition and thirst for honor led him beyond the bounds of true bravery or good conduct.

Saturday there was firing with the enemy at or near Piscataway, which alarmed the troops all along the lines, and kept us under arms for a considerable time, till it was found to be nothing more than exercising among themselves, when the men were dismissed. Dr. Howell and Capt. Lowry set out home to-day.

Sunday, April 27th.—Spent some of the day with Dr. Riker, of Col. Alverton's Regiment, visiting the sick, &c., among whom Lieut. Bowman is one, very bad with a bilious fever.

Monday, April 28th.—Very cold for the season. Went up to the medicine chest, which is about four miles from our quarters, to make a return of the medicines and instruments to the Director General, and bring down some for the sick.

Tuesday, April 29th.—The troops were all paraded, and some orders read to them by Gen. Maxwell. The division we are in is commanded by Gen. Stephens.

Thursday, May 1st.—Col. Ogden, and Captains Peatt and Beeker dined with us at head quarters.

Friday, May 2d.—The enemy seem to be hatching something, as they have given us no alarm this two or three days.

Sunday, May 4th.—Employed in attending the sick, &c., which falls wholly on me now in the absence of the Surgeon.

Monday, May 5th.—Exercised myself in going to the medicine chest, &c. Court Martial setting at our quarters to try sundry prisoners, Col. Ogden, President, who dined with us. Much of the folly of gallantry is to be learned in the army, for my part I every day conceive a greater aversion to it.

Thursday, May 8th.—Some firing was heard at or near Brunswick, but what the occasion was we have not heard. At night Joseph Murphey, being sent on an errand to get some pigs for roasters with another lad, led him near Amboy, when Murphey declared he would not come back, so the other ran off and he proceeded on.

Friday, May 9th.—Was informed this evening that the firing heard yesterday was an engagement between the ministerial cutthroats at Brunswick and Gen. Putnam, near Rocky Hill.

Saturday, May 10th.—Yesterday was observed between one and three o'clock P. M., the Moon three days old and a star a little distance off. The report of the engagement between Gen. Putnam and the enemy yesterday proved false. This afternoon

Gens. Stephens and Maxwell took about one-half the men at Quibbletown and Samptown, with a part of Cols. Cook's and Hendrick's Regiment, leaving the rest as a guard, and went to the picquets at Piscataway, where they had a considerable brush with the 71st Regiment of Scotch regulars, and made them retire getting possession of some part of their quarters, when a reinforcement of the enemy coming from Bonhamtown forced them to retreat, taking with them some small matter of stores; the loss on our side was two killed, two or three taken prisoners, with a number wounded not yet ascertained. 'Twas supposed by what they saw that the enemy had near 30 killed, beside the wounded. Our people did as much as was expected, not intending to attempt any thing more than to give them an alarm. The same time there came out a number from Amboy, we mustered and went in pursuit of them, but they retiring, we could not get one slap at them. The account above I had from Gen. Maxwell, who was present, and came and lodged with us all night.

Sunday, *May* 11*th*, 1777.—In the afternoon we were alarmed by our picquets, who discovered the enemy in Woodbridge, so the whole of the troops were got under arms and sent in pursuit of them, but they retired upon our advancing, and thus ended the fray.

Monday, *May* 12*th*.—The whole of the sick were examined and I sent them off with two wagons to Westfield to the number of 36, and rode up, got them into quarters, and stayed all night at Dr. Philemon Elmer's.

Tuesday, *May* 13*th*.—After getting breakfast I went to visit the sick and made return thereof to Maj. Weatherspoon. Rode off to get Col. Shrieves's horse shod, and then returned home. Dr. Howell returned this evening.

We are certainly informed that in the action at Piscataway last Saturday we had killed and missing 26 or 27 men, four however were supposed to have taken that opportunity to desert.

Wednesday, *May* 14*th*.—Played ball, &c., till some time in the afternoon, when I walked up to Mr. DeCamp's, where I tarried all night. Capt. Reading, &c., was to see us to-day.

Thursday, *May* 15*th*.—Dr. Howell came up to my quarters, and after putting up a quantity of medicines we rode off to Westfield to visit our sick, which we found rather recovering from what they were. Stopped at Gen. Maxwell's quarters, where we dined with Major Weatherspoon and set a while.

Sunday, *May* 18*th*.—Came to my lodgings early in the morning, Dr. Howell and Quarter Master Osburn, on their way to

Morristown, by whom I sent two letters, one to Major Eisenlord, the other to Dr. Read. In the evening the Rev. Jonathan Elmer came to see me, to whom I was introduced by his son, the Doctor.

Thursday, May 22, 1777.—Drummer Grimes of our regiment out on a scout last night with three or four men, took a very good horse from within the enemy's lines.

Friday, May 23*d.*—In the afternoon went to visit the sick in Westfield: returning, came across Mr. Casey, with whom I spent a few hours at the tavern with a couple of young ladies, and then about 7 o'clock at night returned to my lodgings.

Saturday, May 24*th.*—Capt. Stout came to my quarters and informed me of the order for our regiment to march, and his going to Westfield for all that were able to go. Soon after Dr. Howell came with a wagon to carry off the medicine chest. Leaving me behind to take care of all the sick at Westfield, they set out for Bound Brook, the whole troops on the lines went off at night, carts and wagons with guards going.

Sunday, May 25*th.*—This morning we were alarmed before day by the Pennsylvania troops, which were moving towards Westfield and leaving the lines below entirely bare. About 8 o'clock I set out for Westfield to see the sick, but when I came there found they were all moved off to Chatham, and the troops, stores, and every thing gone off from here to Bound Brook. Could not get the least information, nor did I know what to do, as my chest and two sick were at Mr. Decamp's exposed to the enemy, nor knew I whether I must follow the sick or not. In the afternoon came back, found the regulars were out at Samptown and had plundered several inhabitants; those in this quarter began to pack up for a start, I concluded as being left to take care of the sick 'twas my best way to endeavor to get a wagon and carry my chest and the sick away after the others, but could not accomplish it this evening. The inhabitants assembled and kept a guard for the security of the place all night, so that though I slept but little yet was not disturbed.

[The subsequent portions of the Journal are wanting, with the exception of a few orders. The following Diary closes Dr. Elmer's Memoranda.]

August 24*th*, 1782.—The infantry of the Jersey line marched from their huts to join the others at Peekskill.

August 26*th.*—We received orders to march for King's Ferry the 29th.

August 29*th.*—We marched from our huts to a bridge below Pompton meeting house, and encamped for the first time this year.

August 30, 1782.—Decamped at 3 o'clock and marched to Suf-

frien's Tavern where we lay this night, being the coldest for the season that ever I knew.

August 31*st.*—Marched as before, and encamped near King's Ferry.

September 1*st.*—We decamped, marched to the Ferry and crossed; where we joined the whole of the Northern Army and took our station on the right near the Ferry.

September 2*d.*—I was ordered from camp to our huts, in order to take care of and bring up the men left behind. The ground the driest it has ever been known in this country.

September 11*th.*—A fine shower in the morning. At dusk arrived in camp with Lieut. Buck, and found the army very beautifully situated in one line with fine worked and arched bowers in front.

September 14*th.*—Count Rochambeau arrived in camp. The whole army were paraded to receive him and paid him the honors due to the Commander-in-Chief. After the salute he was pleased to express his entire approbation of their appearance and behavior.

September 16*th.*—The French began to cross their baggage, artillery, &c. Fatigue parties from our army were employed in crossing them day and night, till the night of the 18th instant, when the whole got over, consisting of about 5000, including artillery, &c., and about 5000 horses, with a very great quantity of baggage.

September 22*d.*—Second Jersey Regiment on fatigue to West Point.

September 30*th.*—Returned by the same route.

October 11*th.*—The Jersey and 1st Massachusetts brigades were mustered.

October 12*th.*—Our troops were manœuvred with the 1st Massachusetts brigade by the Baron himself, and performed well.

October 19*th.*—A part of the army were brigaded and manœuvred with blank cartridges, which they fired.

October 24*th.*—The army passed the Minister of War in review, and performed many evolutions in his presence to satisfaction.

October 26*th.*—The left wing marched to go into quarters.

October 27*th.*—The right wing marched. 2d Connecticut brigade halted near Continental village, where they will hut. 1st Connecticut brigade marched on and crossed to West Point, where they are to garrison this winter. York and Jersey met our baggage opposite West Point, where we encamped.

October 28*th.*—Crossed and marched over the mountains to Murderer's Creek, where we received our baggage from the boats

and encamped. The Rhode Island Regiment ordered to relieve the Hampshire line at the northward.

October 29th, 1782.--Marched with our baggage about five miles to our ground for hutting and encamped.

November 4th.—The ground for hutting being laid out in a wood about five miles north-west of New Windsor, we moved on it, pitched our tents, and began to build chimneys to them.

November 5th.—Our troops mustered, the inspection being dispensed with.

November 7th.—Began to erect the men's huts; dimensions, 27 by 18 feet, divided by a partition in the centre. Each company build two of these double huts, one in front and one in the rear, in two regular, straight lines. The timber was heavy and the work very fatiguing.

November 14th.—Some of the men began to move into their huts, and the officers to lay the foundation of theirs.

December 1st.—We moved into our hut and began to erect a kitchen.

December 12th.—Orders came out for one officer of a company to go on furlough, one non-commissioned officer and two privates.

December 13th.—Captains Ballard, Holes and Leonard left camp, and Lieut. Hopper.

December 16th.—Came on a snow which by the morning following was two feet deep.

January 2d, 1783.—Our regiment marched to do duty on the lines for two weeks.

January 19th.—Returned to their huts. C. C. liked to have fallen through the ice.

February 11th.—Lieut. Col. Barber, lately appointed to command our regiment, in riding from camp to his quarters about 1 o'clock P. M., was suddenly killed on his horse by the fall of a tree, which accidentally happened to cross the path where he was riding.

February 13th.—He was buried with the honors of war at Bethlehem burying ground and from thence carried, after the firing, to Wallkill, and deposited in the burying ground of his family.

April 19th—The cessation of hostilities was announced in camp just eight years from the commencement thereof.

June 6th.—Our brigade received their furloughs, and we all decamped.

June 7th.—Arrived in Newark.

June 11*th.*—Chose the officers of the Cincinnati at Elizabethtown, where we received our baggage and proceeded on.

June 12*th.*—Arrived at Trenton.

June 14*th.*—Went to Burlington.

June 15*th.*—To Philadelphia.

June 16*th.*—To Woodbury.

June 17*th.*—To Cohansey.

September 16*th.*—Set out to Princeton.

September 22*d.*—The Jersey Society of the Cincinnati met.

October 1*st.*—Arrived at Cohansey.

November 3*d.*—Was discharged from the service of the United States by a Proclamation of Congress, after having served seven years and nine months, wanting five days, in the following capacities, viz:—

From the 8th of February, 1776, to the 9th of April following, as an Ensign in the 3d Jersey Regiment.

From the 9th of April, '76, to the 1st of April, '77, as a Lieutenant of the same.

From that day to the 5th of July, '78, as Surgeon's Mate in the 2d Jersey Regiment, and from that day till the present as Surgeon of said Regiment.

Two months and one day Ensign: eleven months and twenty one days Lieutenant; one year, three months and four days Surgeon's Mate; five years, three months and twenty-eight days Surgeon.

EXTRACT FROM A DIARY

BY Mr. JACOB SPICER,

OF CAPE MAY COUNTY.

Communicated by Maurice Beesley, M. D.

[Jacob Spicer (associated with Aaron Leaming in compiling the volume so well known as Leaming and Spicer's Grants and Concessions,) was a prominent man for many years in the southern part of New Jersey—was a member of the Provincial Assembly, &c., and died on Cold Spring Neck, where was his residence, September 17th, 1765, in his 49th year. He was actively engaged most of his life in traffic with the adjoining provinces, and left a Diary or Memoranda Book which contains many entries highly interesting from the light they shed upon the manners, customs, pursuits, &c., of the people in his neighborhood. Some of these have been communicated to the Society by Dr. Beesley.

The following extract is illustrative of Mr. Spicer's own domestic economy in 1757.]

After an enumeration in figures of his family expenses, he thus wrote—

It is conceived that £14 13s. 4d., as above estimated, will be adequate to furnish all the boys with leather for breeches, a vest for Elisha, a coat and vest for Jack, calico for long and short gowns for all the girls, stripe linen and stripe linsey for short gowns and petticoats for the said girls, and a tammy quilt for Judith, for defraying of which £14 13s. 4d.—220 pair of mittens at 16d. per pair, will be needed, which will require 44 pounds of wool, which will take 44 days' work of two girls to spin, and I'll pay for that or hire equivalent in the knitting if the girls will do the remainder of the service.

I must pursue the following maxims invariably for the present year. I must fabricate 220 pair of mittens, and for the present and future year, if I live, must supply my boys with leather for winter breeches: about £3 8s. will be sufficient to furnish them all—24 pounds of grey skin at 2s. per pound, and 2s. 6d. for dressing and freight of each skin, supposed to consist of 8 skins, tho' I think summac red or short grey, will be most profitable to buy as the hair is almost nothing, which is not so when the skin is fully coated.

In the next place I must buy my leather and heels, and spin my shoe thread, and have all my shoes made up in the house, for I find if I even hire 'em made out, find my leather, the shoemaker

gains, in all probability, a profit of 3s. on the leather of a man's pair of shoes, waste in cutting excepted, for which I should think 4d. a large allowance, and the scraps of sole leather may be converted into lists; and an eye may be seen to the cutting, and the thread may be had from the family labor. And when I am shoeing my family it is requisite to supply each individual with two pair, to prevent shoes being worn *too green*. And as a farther advantage in purchasing my leather, I can at all times take care that it be of good quality, and by having it made up together and in my house will avoid the loss of time in running after the same; and I should get one of the boys instructed so as to mend shoes, to save money and prevent loss of time. The shoemaker should be obliged to do his day's work or pay for his board.

In the next place I should hire my taylor and Tayloress in the house, and oblige my girls to assist in the service, for by this means my diet and female service will become a part of the Taylor's bill; besides, their day's wages, as far as I can discern, are not proportionate to the sum in gross they ask for their service, and having the clothes made at home and together there may be an *oversight* of the cloth and cut, and the loss of time in going to have clothes taken measure for and tried on.

The best time for hiring, I think, is such seasons of the year when the weather is not so cold as to need a fire.

In the next place it will be requisite to consult a blacksmith to know what allowance he will make for iron and steel.

Daniel Harcourt informs me that mittens sell for 3s., and stockings for 7s., York money, at Albany, without any regard to the colour, and many of 'em ordinary too—but wampum will not sell since the reduction of Oswego, before that it was in great demand, equal if not superior to silver in value, and there were 60 or 70 wampum shops in Albany.